

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

----- x  
LESLIE WILSON, :  
Plaintiff, :  
v. : Civ. No. 02-CV-4662 (BWK)  
  
PPL ELECTRIC UTILITIES :  
CORPORATION, :  
: Defendant.  
----- x

**MOTION TO EXTEND DEADLINES PENDING RESOLUTION  
OF DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Defendant PPL Electric Utilities Corporation, by and through its attorneys, GROSS, McGINLEY, LaBARRE & EATON, LLP, hereby respectfully requests that the dates set forth in this Court's September 18, 2003 Order for the exchange of trial exhibits, the filing of pretrial memoranda and related documents (*e.g.*, motion in limine, jury instructions, etc.) and the placing of this matter in the trial pool, be extended until after the Court has ruled on Defendant's Motion for Summary Judgment, which was filed on August 29, 2003. Plaintiff has no objection to this motion.

In support of this Motion, Defendant represents the following:

1. Pursuant to this Court's April 29, 2003 and August 26, 3003 Orders, Defendant moved for summary judgment seeking dismissal with prejudice of all seven claims contained in plaintiff's complaint. After receiving a 20 day extension of time, plaintiff served

and filed his opposition to defendant's motion on October 8, 2003. Defendant filed reply papers on October 16, 2003.

2. Pursuant to this Court's September 18, 2003 Order, the parties are required to exchange trial exhibits by December 4, 2003 and to file pre-trial memoranda, proposed voir dire questions, jury instructions, special interrogatories, verdict forms, and motions in limine by December 9, 2003. A pre-trial conference is scheduled for December 22, 2003, and the case is scheduled to be placed in the trial pool on December 26, 2003.

3. When the parties had agreed upon the dates contained in the initial Scheduling Order, Defendant had intended to allow sufficient time to allow the Court to rule on dispositive motions prior to the time that the parties would be required to expend time and resources preparing for trial. We recognize, however, that in light of the extensive briefing of Defendant's summary judgment motion, the scheduling order, in retrospect, did not allow sufficient time for the Court to adequately consider the motion prior to the time that the parties must submit trial-related documents to the Court, and attend the pretrial conference.

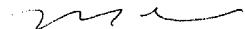
4. Preparation for the trial in this matter, which will involve numerous witnesses, hundreds of documents, and substantial in limine motions, will be very time consuming and costly for both parties. Under the current schedule, the parties must begin preparing for trial immediately. Neither party desires to undertake those efforts until the Court rules on Defendant's dispositive motion. Moreover, although Defendant believes that its summary judgment motion should be granted in its entirety, even if that was not the case, the Court's resolution of the motion very likely will narrow the issues for trial (and potentially affect the parties' trial exhibits, witnesses, pretrial memoranda and in limine motions.)

5. Accordingly, for reasons of judicial economy, the parties respectfully request that the date by which trial exhibits must be exchanged and pretrial memoranda (and related documents) must be filed be extended until thirty (30) days after the Court issues a ruling on Defendant's motion for summary judgment, and that the case be placed in the trial pool sixty (60) days after the Court issues its ruling.

Dated: Allentown, PA  
November 14, 2003

Respectfully submitted:

GROSS, McGINLEY, LaBARRE & EATON, LLP



By: MALCOLM J. GROSS, ESQUIRE  
33 South Seventh Street; P.O. Box 4060  
Allentown, PA 18105-4060  
(610) 820-5450

PROSKAUER ROSE LLP  
Daniel R. Halem, Esquire  
Peter P. Rahbar, Esquire  
1585 Broadway  
New York, New York 10036  
(212) 969-3043

Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
CIVIL DIVISION

----- x  
LESLIE WILSON, :  
Plaintiff :  
v. : Civ. No. 02-CV-4662 (BWK)  
PPL SERVICES, INC., :  
: Defendant.  
----- x

**CERTIFICATION THAT MOTION IS UNCONTESTED**

The undersigned hereby certifies that Defendant's counsel, Malcolm J. Gross, Esquire, has contacted Plaintiff's counsel regarding this Motion and Plaintiff's counsel has no objection to the Motion and the Motion is therefore uncontested.

GROSS, McGINLEY, LaBARRE & EATON, LLP

By: \_\_\_\_\_  
MALCOLM J. GROSS, ESQUIRE  
33 South Seventh Street; P.O. Box 4060  
Allentown, PA 18105-4060  
(610) 820-5450

PROSKAUER ROSE LLP  
Daniel R. Halem, Esquire  
Peter P. Rahbar, Esquire  
1585 Broadway  
New York, New York 10036  
(212) 969-3043

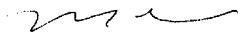
Attorneys for Defendant

**CERTIFICATE OF SERVICE**

This is to certify that foregoing MOTION TO EXTEND DEADLINES PENDING RESOLUTION OF DEFENDANT'S MOTION FOR SUMMARY JUDGMENT, was mailed by first class United States mail, postage paid, this 14<sup>th</sup> day of November, 2003, upon the following:

Glennis L. Clark, Esquire  
Law Offices of Glennis L. Clark  
532 Walnut Street  
Allentown, PA 18101-2322

GROSS, McGINLEY, LaBARRE & EATON, LLP



By: \_\_\_\_\_  
MALCOLM J. GROSS, ESQUIRE  
33 South Seventh Street; P.O. Box 4060  
Allentown, PA 18105-4060  
(610) 820-5450

PROSKAUER ROSE LLP  
Daniel R. Halem, Esquire  
Peter P. Rahbar, Esquire  
1585 Broadway  
New York, New York 10036  
(212) 969-3043

Attorneys for Defendant